

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

CHAD E. HILL,

Plaintiff,

v.

Case No.:

THE UNITED STATES OF AMERICA,

Defendant.

COMPLAINT

COMES NOW, the Plaintiff, CHAD E. HILL, by counsel, and moves this Honorable Court for judgment against the Defendant, THE UNITED STATES OF AMERICA, on the grounds and in the amount as set forth below:

1. This action arises under the Federal Torts Claim Act ("FTCA"), 28 U.S.C. §§ 2671 et seq., and this Court has jurisdiction under the provisions of 28 U.S.C. § 1346(b).
2. On February 19, 2020, at approximately 11:57 a.m., the Plaintiff was lawfully operating a motor vehicle in a westerly direction on E. Brambleton Avenue at or near its intersection with Reservoir Avenue in Norfolk, Virginia.
3. At such time and place, Calvin Parker, an employee and/or agent of the Defendant, while acting within the course and scope of his employment and/or agency, carelessly and negligently drove, managed, operated, and controlled his motor vehicle in such a manner as to cause it to crash into the rear of the Plaintiff's motor vehicle, the force of which caused the Plaintiff's vehicle to be propelled forward into the rear of the vehicle directly in front of him.
4. The Defendant, through its employee and/or agent Calvin Parker, had a duty to

use reasonable care in the operation of its motor vehicle and breached this duty of care by failing to use the care a reasonable person and entity would have used under the circumstances existing at the aforesaid time and place.

5. Calvin Parker failed to keep a proper lookout
6. Calvin Parker followed the Plaintiff's vehicle too closely.
7. Calvin Parker failed to brake appropriately and adequately in order to avoid crashing into the Plaintiff's vehicle.
8. The negligence as aforesaid on the part of Calvin Parker constituted a proximate cause of the incident, damages, and injuries suffered by the Plaintiff.
9. The Defendant is vicariously liable for the negligent act of its employees and/or agents that occur during the course and scope of the employee's and/or agent's employment, including those of Calvin Parker as set forth above.
10. As a direct and proximate result of the negligence of the Defendant, the Plaintiff sustained serious injuries; has been prevented from transacting his business, personal affairs and household duties; has suffered great pain of body and mind and inconvenience; has lost wages from his gainful employment; and incurred doctors' and related bills in an effort to be cured of said injuries.
11. In accordance with 28 U.S.C. § 2401(b), the Plaintiff presented an administrative claim in writing to the Defendant, and specifically the United States Postal Service, on July 6, 2020, in the amount of \$67,500.00, within two years of the date his claim accrued.
12. By letter dated July 7, 2021, the administrative claim was denied by the Defendant.

WHEREFORE, the Plaintiff demands judgment against the Defendant in the amount of

SIXTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$67,500.00) and his costs in this behalf expended as allowed by law; and for such other relief as the Court may deem proper.

CHAD E. HILL



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